

IN THE MATTER OF:

Windward Gardens)
105 Mechanic Street) **FINAL DECISION**
Camden, ME 04843)

This is the Department of Health and Human Services' Final Decision.

The Recommended Decision of Hearing Officer Benedict, mailed May 10, 2006 has been reviewed.

I hereby adopt the findings of fact and I accept the Recommendation of the Hearing Officer that the Department was not correct, when as a result of a Case Mix Review conducted on July 19, 2005 of Windward Gardens it determined that there was a 37% error rate and a 5% sanction.

DATED: 6/24/06 SIGNED: _____
BRENDA M. HARVEY, COMMISSIONER
DEPARTMENT OF HEALTH & HUMAN SERVICES

YOU HAVE THE RIGHT TO JUDICIAL REVIEW UNDER THE MAINE RULES OF CIVIL PROCEDURE, RULE 80C. TO TAKE ADVANTAGE OF THIS RIGHT, A PETITION FOR REVIEW MUST BE FILED WITH THE APPROPRIATE SUPERIOR COURT WITHIN 30 DAYS OF THE RECEIPT OF THIS DECISION.

WITH SOME EXCEPTIONS, THE PARTY FILING AN APPEAL (80B OR 80C) OF A DECISION SHALL BE REQUIRED TO PAY THE COSTS TO THE OFFICE OF ADMINISTRATIVE HEARINGS FOR PROVIDING THE COURT WITH A CERTIFIED HEARING RECORD. THIS INCLUDES COSTS RELATED TO THE PROVISION OF A TRANSCRIPT OF THE HEARING RECORDING.

cc: Lillian Phillips, DHHS, 442 Civic Center Drive, Augusta, ME 04330
Susanne Heesch, Director of Operations, Sandy River Health Systems,
P.O. Box 110, Portland, ME 04112